

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US06/16861

A. CLASSIFICATION OF SUBJECT MATTER

IPC(8) - H04Q 7/20 (2007.01)

USPC - 455/22

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC(8) - H04Q 7/20 (2007.01)

USPC - 455/422

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

MicroPatent

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/0068558 (JANIK) 06 June 2002 (06.06.2002) paragraphs 0124, 0145, 0176-0183, 0192, 0219+.	1-60
A	US 2003/0003872 A1 (BRINKLEY et al) 02 January 2003 (01.01.2003) Entire Document.	1-60

☐ Further documents are listed in the continuation of Box C.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

02 April 2007

Date of mailing of the international search report

30 AUG 2007

Name and mailing address of the ISA/US

Mall Stop PCT, Attn: ISA/US, Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450

Facsimile No. 571-273-3201

Authorized officer:

Blaine R. Copenheaver

PCT Helpdesk: 571-272-4300

PCT OSP: 571-272-7774

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Gary, R. Jarosik
Greenberg Traurig, LLP
Suite 2500
77 W. Wacker Drive
Chicago, Illinois 60601-1732

Date of mailing
(day/month/year)

30 AUG 2007

Applicant's or agent's file reference

81230502PCT2

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US06/16861

International filing date (day/month/year)

02 May 2006

Priority date (day/month/year)

17 May 2005

International Patent Classification (IPC) or both national classification and IPC

IPC(8) - H04Q 7/20 (2007.01)

USPC - 455/422

Applicant

UNIVERSAL ELECTRONICS INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Date of completion of this opinion

02 April 2007

Authorized officer:

Blaine Copenheaver

PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US06/16861

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	None	YES
	Claims	1-60	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-60	NO
Industrial applicability (IA)	Claims	1-60	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1- 60 lack novelty under PCT Article 33(2) as being anticipated by Janik (US 2002/0068558 A1).

Regarding claims 1, 16, 31 and 46, Janik discloses a device (Fig. 1, client devices 78) for receiving content files comprising: a client system including clients 78, PC 18, computer readable media or hard drive 30 and server 8, communicably coupled to a network (Fig. 1, a network connected via TCP/IP protocol (Fig. 1, clients 78, PC 18, computer readable media or hard drive 30 and server 8) communicably coupled to a network (Fig. 1, a network connected via TCP/IP protocol), Initiating transfer of the content file with a client system (par. 0183, initiating associated with periodically check for specific file in the server to be forwarded to PC), the client system automatically receiving a content file from a server device via the network using a first receiving mode (par. 0183, periodically check for specific file in the server to be forwarded to PC) when a first set of predefined criteria available to the client system are satisfied, and automatically receiving the content file from the server device via the network using a second receiving mode (par. 0239, specific file in the PC is automatically forwarded to client at 6:00 AM) when a second set of predefined criteria available to the client system are satisfied.

Regarding claims 2, 17, 32 and 47, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) discloses the network comprises a local area network (pars. 083-084, HomeRF LAN 7).

Regarding claims 3, 18, 33 and 48, Janik (as discussed in lack of novelty of claims 2, 17, 32 and 47 above) discloses the local area network comprises a wireless local area network (pars. 083-084, HomeRF or wireless LAN 7).

Regarding claims 4, 19, 34 and 49, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) discloses the first mode of providing access to the content file comprises a streaming mode (par. 0129, a stream of encoded audio content) wherein the client device is configured to receive and playback (par. 0129-0131, playback 86) a portion of the content file from the server device via the network while a subsequent portion of the content file is buffered in a memory of the client device.

Regarding claims 5, 20, 35 and 50, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) discloses the second mode of providing access to the content file comprises a synchronization mode (par. 0124, synchronizing among web, device, and local server) wherein the client device is configured to receive the entirety of the content file prior to further processing of the content file by the client device.

Regarding claims 6, 21, 36 and 51, Janik (as discussed in lack of novelty of claims 5, 20, 35 and 50 above) further discloses the processing of the content file by the client device comprises playback (par. 0129-0131, playback 86) of the client file.

Regarding claims 7, 22, 37 and 52, Janik (as discussed in lack of novelty of claims 5, 20, 35 and 50 above) further discloses the processing of the content file by the client device comprises storage of the content file (Fig. 19, memory in playback 86).

Regarding claims 8, 23, 38 and 53, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) discloses the programming (par. 0192, content programming) further comprises instructions for accessing data related to the client device for use with the predefined criteria in selectively determining between a first mode (par. 0183, periodically check for specific file in the server to be forwarded to PC) of providing access to the content file and a second mode (par. 0239, specific file in the PC is automatically forwarded to client at 6:00 AM) of providing access to the content file.

(Cont. in Supplemental Box)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box No. V

2. Citations and explanations:

Regarding claims 9, 24, 39 and 54, Janik (as discussed in lack of novelty of claims 8, 23, 38 and 53 above) discloses the data related to the client device includes content file playback capabilities (par. 0181, automatic playback capability).

Regarding claims 10, 25, 40 and 55, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) discloses the programming further comprises instructions for accessing data related to the content file for use with the predefined criteria in selectively determining between a first mode (par. 0183, periodically check for specific file or content file in the server to be forwarded to PC) of providing access to the content file and a second mode (par. 0239, specific file or content file in the PC is automatically forwarded to client at 6:00 AM) of providing access to the content file.

Regarding claims 11, 26, 41 and 56, Janik (as discussed in lack of novelty of claims 10, 25, 40 and 55 above) further discloses the data related to the content file includes content specific metadata (par. 0181, playback time).

Regarding claims 12, 27, 42 and 57, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) discloses the predefined criteria comprise user preferences relating to the first (par. 0183, periodically check for specific file or content file in the server to be forwarded to PC) and second modes (par. 0239, specific file or content file in the PC is automatically forwarded to client at 6:00 AM as user preference) of providing access to the content file, and transferring the content file (par. 0239, specific file or content file in the PC is automatically forwarded to client at 6:00 AM as user preference).

Regarding claims 13, 28, 43 and 58, Janik (as discussed in lack of novelty of claims 1, 16, 31 and 46 above) further discloses the predefined criteria comprises system generated data relating to the first (par. 0183, periodically check for specific file or content file in the server to be forwarded to PC) and second (par. 0239, specific file or content file in the PC is automatically forwarded to client at 6:00 AM as user preference) modes of providing access to the content file and transferring the content file (par. 0239, specific file or content file in the PC is automatically forwarded to client at 6:00 AM as user preference).

Regarding claims 14, 29, 44 and 59, Janik (as discussed in lack of novelty of claims 13, 28, 43 and 58 above) discloses the system generated data is dependent on the time of day (par. 0239, specific file or content file in the PC is automatically forwarded to client at 6:00 AM as user preference).

Regarding claims 15, 30, 45 and 60, Janik (as discussed in lack of novelty of claims 13, 28, 43 and 58 above) discloses the system generated data is initiated (par. 0237-239, PC is automatically connected to Internet) by receipt of a command related to the content file.

Claims 1-60 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.